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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,117

02/12/2002

Hideki Yoshikawa

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12/28/2005

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP
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EXAMINER

IM, JUNGHWA M

ART UNIT

PAPER NUMBER

2811

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/073,117	Applicant(s) YOSHIKAWA ET AL.	
	Examiner Junghwa M. Im	Art Unit 2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 9 and 11-12 are objected to because of the following informalities: Claim 9 recites “within said material” which should be “within said first material.” Claims 11 and 12 recite “said discrete portions” without an antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites a limitation of “a second material comprising a plurality of strip portions dispersed within said material or distributed on a surface of said first material.” It is noted that a composite of dielectric material with magnetic material dispersed within forms a plurality of strip portions, therefore, the second material by itself does not comprise a plurality of strip portions.

Claim 12 recites a limitation of “said discrete portions are magnetic particles approximately uniformly distributed in said first material.” Note that claim 12 depends on claim 9 which indicates the discrete portions are in a form of a strip, and the instant invention discloses

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that the discrete portions/strip portions are made from the magnetic ceramic material which has magnetic particles indicating that the discrete portions themselves cannot be magnetic particles.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki et al. (US 6808577), hereinafter Miyazaki in view of Ushiro (US5655287).

Regarding claims 9 and 10, insofar as understood, Fig. 3 of Miyazaki shows a laminate device for use in electronic devices, comprising:

a first ceramic portion [17, 18] comprising one or more first layers, each of said first layers comprising a first material [ceramic], and

one or more circuit element patterns [26, 29] formed on a surface of said first layer; and

a second ceramic portion [15, 16] provided on said first ceramic portion, said second ceramic portion comprising one or more second layers, each of said second layers comprising said first material [ceramic],

a second material [magnetic] distributed on a surface of said first material [col. 11, lines 47-55]; and

one or more circuit element patterns [21, 23] formed on a surface of said second layer, wherein said one or more circuit element patterns provide an electronic circuit for performing a

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predetermined function, and said first ceramic portion is provided on said second ceramic portion to produce said laminate device,

wherein one of said first layers of said first ceramic portion and one of said second layers of said second ceramic portion are directly stacked on each other.

Fig. 3 of Miyazaki shows most aspect of the instant invention except “a second material comprising a plurality of strip portions dispersed within said first material or distributed on a surface of said first material.” Fig. 5 of Ushiro shows a laminated device comprising a plurality of strip portions of magnetic material [27] dispersed within said first material [17 in Fig. 3(c)]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teachings of Ushiro into the device of Miyazaki in order to have a plurality of strip portions dispersed within said first material to adjust magnetic flux.

Regarding claim 11, Fig. 5 of Ushiro shows said discrete portions are approximately uniformly distributed on said surface of said first material.

Regarding claim 12, insofar as understood, Fig. 5 of Ushiro shows said discrete portions having magnetic particles approximately uniformly distributed on said surface of said first material.

Response to Arguments

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

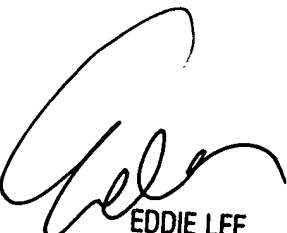
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Junghwa M. Im whose telephone number is (571) 272-1655. The examiner can normally be reached on MON.-FRI. 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (571) 272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jmi



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